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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,619	11/24/2003	Harumi Suzuki	01-510	1296
23400 7590 06/26/2006		EXAMINER		
POSZ LAW GROUP, PLC			SUCH, MATTHEW W	
12040 SOUTH LAKES DRIVE SUITE 101			ART UNIT	PAPER NUMBER
RESTON, VA 20191			2891	<u> </u>

DATE MAILED: 06/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \$\frac{1}{2}\$ MONTH(\$\text{S}\$) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, RROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of mem may be available under the provisions of \$\text{S}\$ of \$\text{N}\$ (1.5). Into event, however, may a reply be tentely filled. If INO period for regly is specified above, the maximum statutory pend will apply and will expire \$\text{S}\$ (8) MONTHS from the mailing date of this communication. Fallus to regive which he set of extended period for regive lay statute, cause the application for Set \$\text{S}\$ (9) MONTHS from the mailing date of this communication. Fallus to regive which he set of extended period for regive lay statute, cause the application (\$\text{S}\$ (9) MONTHS from the mailing date of this communication. Fallus to regive which the set of extended period for regive lay statute that the provision of the mailing date of this communication, even if timely filled, may reduce any correct places term adjustment. Set \$\text{S}\$ (7FR 17/460). Status 1) \(\text{S} \) Responsive to communication(s) filled on \$\frac{24}{24} November 2003. 2a) \(\text{This action is FINAL}. 2b) \(\text{S} \) This action is non-final. 3) \(\text{S} \) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under \$\text{Exp x parts Quay/e}\$, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) \(\text{C claim}(s) \frac{1.36}{2} \) is/are pending in the application. 4a) Of the above claim(s) \(\text{S} \) is/are withdrawn from consideration. 5) \(\text{C claim}(s) \text{is/are allowed.} \) 6) \(\text{C claim}(s) \text{is/are allowed.} \) 6) \(\text{C claim}(s) \text{is/are allowed.} \) 7) \(\text{This action is objected to by the Examiner.} \) 9) \(\text{The above claim}(s) \text{is/are allowed.} \) 8) \(\text{C claim}(s) \text{is/are allowed.} \) 9) \(The above pro		Application No.	Applicant(s)				
Matthew W. Such Matthew W. Such Matthew W. Such Matthew W. Such Matthew W. Such	Office Action Summan.	10/718,619	SUZUKI ET AL.				
The MALLING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ∫ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Edutions of time may be available under the provision of 37 CFR 11360, in no event, however, may a may be timely filled. If NO period for reply is specified above, the maximum statutory printed will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Failube to reply which he set of excelled period for reply is specified above, the maximum statutory printed will apply and will expire SIX (6) MONTHS from the mailing date of this communication, even if timely filled, may reduce any extented period for reply is specified above. The maximum statutory printed will apply and will expire SIX (6) MONTHS from the mailing date of this communication, even if timely filled, may reduce any extented period for reply will, by statuke, case the application (5) six SIX status 1) □ Responsive to communication(s) filled on 24 November 2003. 2a) □ This action is FINAL. 2b) □ This action is non-final. 3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) □ Claim(s) 1/36 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5b □ Claim(s) is/are rejected. 7b □ Claim(s) is/are rejected. 7c □ Claim(s) is/are rejected. 7c □ Claim(s) is/are replected. 7d □ Claim(s) is/are replected to by the Examiner. Application Papers 9b □ The specification is objected to by the Examiner. Application Papers 9c □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Application Papers 9c □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Application Paper	Office Action Summary	Examiner	Art Unit				
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Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)		<u> </u>	- - - - - -				
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DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - Claims 22-33, drawn to method of repairing an organic semiconductor device, classified in class 438, subclass 4.
 - II. Claims 1-2 and 11-21, drawn to an organic semiconductor device, classified in class 257, subclass 40.
 - III. Claims 3-10 and 34-36, drawn to the device of Invention II in combination with a protective resin layer, classified in class 257, subclass 787.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions II and I are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product. See MPEP § 806.05(h). In the instant case, Invention I is used with an organic device which requires a light-emitting layer and the product of Invention II does not require a light-emitting layer.
- 3. Inventions III and I are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product. See MPEP

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§ 806.05(h). In the instant case the method of Invention I can be used with a device that does not have a resin layer and the product of Invention III requires a resin layer.

- 4. Inventions III and II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because various claims of the combination of Invention II do not require the limitation of the plurality of pixels are sealed with a gas. For example, the combination of Invention II can be sealed in vacuum. The subcombination has separate utility such as an organic device which does not include a protective resin layer in the device.
- 5. Because these inventions are independent or distinct for the reasons given above and have acquired a separate status in the art in view of their different classification and the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.
- 6. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

7. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew W. Such whose telephone number is 571-272-8895.

The examiner can normally be reached on Monday - Friday 8AM-5PM EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bradley W. Baumeister can be reached on 571-272-1722. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Matthew W. Such Examiner Art Unit 2891

MWS 6/21/06

B. WILLIAM BAUMEISTER
SUPERVISORY PATENT EXAMINED